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Lambda Letters Project

Vol. 12, No. 8 August, 2004 www.lambdaletters.org LambdaLP@aol.com (916) 728-1261

Family Leave Benefits

By Boyce Hinman, Chief Lobbyist

On July 1 most employees in California became eligible to take up to six weeks per year of partially paid time off to care for seriously ill family members, including domestic partners. The program also allows partially paid time off to bond with a newborn, or newly adopted, child. Under the program employees receive 55 percent of their usual salary, up to a maximum of $728 per month. The program is run by the Employment Development Department and funded by deductions from employees' paychecks. Employers regularly deduct 1.18 percent of employees' salaries to pay for the state's disability insurance program. Of that amount, 0.08 percent is earmarked for a fund to pay for the family leave program; employers pay no money into the program. Federal and state government employees do not pay into the fund and they do not receive the benefit.

Before an employee is eligible to take family leave under the program, he or she must use up to two weeks of vacation leave. Parents must use the leave to bond with a child during the first year after the birth, adoption, or foster care placement of the child. Employees in companies with 50 or more employees have the right to go back to the same job after the leave is over. However, employees at smaller companies do not have this job protection.

This program results from the passage of SB 1661 in 2002. Senator Sheila Kuehl (D–Los Angeles) was the author of the bill. Lambda Letters Project worked hard for its passage. People wishing additional information on the program should contact their employer's HR department or the Employment Development Department at 877-379-3819 (or 800-563-2441 for TTY) or at *www.edd.ca.gov.*

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Got the Letter?

By Boyce Hinman, Chief Lobbyist

Has the secretary of state sent you a letter recently? In 2002 the state legislature passed AB 205 and the governor signed it. This bill was sponsored by Equality California and vigorously supported by Lambda Letters Project. The bill provides several new rights for domestic partners; it creates a number of new duties for them as well. For example, domestic partners may be liable for each other's debts. They may also be subject to community property laws with regard to property purchased after they registered as domestic partners. The bill requires the secretary of state to send three letters to domestic partners who have registered with the state. The letters explain in general terms the rights and duties of domestic partners under AB 205. This allows domestic partners to terminate their partnership formally if they do not wish to be subject to the duties imposed by the forthcoming law.

AB 205 goes into effect on January 1, 2005. The first set of letters from the secretary of state were mailed on June 8. Two more versions of the letter will be mailed by December 1 and by January 31, 2005. Have you registered with the state as a member of a domestic partnership? Have you and your partner received the letter that was sent in June? If not, that could be because you have moved since you were registered and you did not send your new address to the secretary of state's office.

It is important that you get these letters. There are two ways you can submit your change of address and assure that you get the letters. You can send a letter with the address change to California Secretary of State, Domestic Partners Registry, 1500 11th Street, 2nd Floor, Sacramento, CA 95814. As an alternative, you can submit your address change online. Go to *www.ss.ca.gov.* Click Special Programs Information, then Domestic Partnership Registry, and then click Change Your Address. Fill in the information and click the Submit to Secretary of State button at the bottom of the form.

To avoid the duties imposed on domestic partners by AB 205, you have to terminate your domestic partnership formally. Get the form to do this at your county clerk's office. Look in the white pages of your phone book under "County Listings." You can also find the form online by going to *www.ss.ca.gov.* You cannot e-mail it to the secretary of state because it must be notarized.

Lambda Letters Project

Our Mission

To promote the social, economic, and human rights of lesbian, gay, bisexual, transgender and intersex individuals, couples, and families; people affected by HIV/AIDS; people of color; and women. We do this by urging elected officials to enact and support legislation that accomplishes this goal.

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Contact Your Members of Congress!

You'd be amazed how easy it is. Call them toll-free at
(800) 648-3516.
Ask the operator to transfer you to your legislator's office.
If the line is busy, try again later; you'll get through eventually.
Don't know who represents you in Congress?
Visit the Lambda Letters website:
www.lambdaletters.org
Click on the Who Represents You? link in the left navigation bar to find out!

Discrimination Complaints

Have you experienced employment discrimination because of your actual or perceived sexual orientation or because of your age (40 and over), ancestry, color, creed, disability, marital status, medical condition, national origin,
race, religion, or sex? Have you been denied family and medical care leave or pregnancy disability leave?
If so, you may register a complaint with the Department of Fair Employment and Housing. In cases of employment discrimination, call the department at
(800) 884-1684. In cases of housing discrimination, call (800) 233-3212.
The person answering the phone will schedule an appointment for you at the Department of Fair Employment and Housing Office which is closest to your home or place of employment.

Advertising Rates (per Issue)

Business-card sized ads (3½"×2") $10, quarter-page ads $30, third-page ads $33, half-page ads $45, full-page ads $75, full back-page ad $100. Deadline for payment and camera-ready copy, along with your name and phone number, is the 25th of each month.

☐ Yes, I want to make a donation to help LLP continue its important work.
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☐ $10 ☐ $20 ☐ $30 ☐ other $_____

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Lesbian/Gay/Bisexual/Transgender/Intersex Issues

End Harassment in the Workplace

The Further Adventures of AB 2889

By Teri Ford, Legislative Analyst

In July, Lambda Letters Project members were asked to write to the State Assembly in support of AB 2889. As you may recall, this bill was introduced by John Laird (D–Santa Cruz) and continues where AB 76 ends by protecting workers from *all* forms of harassment in the workplace by non-employees.

The bill that was passed, AB 76 (by Ellen Corbett, D-San Leandro), required employers to protect employees from sexual harassment by clients and customers. However, AB 76 was specific to sexual harassment; it did not provide protection from other types of persecution based on gender, sexual orientation, race, color, religion, disability or mental condition, age, marital status, national origin, and so on. The new bill, AB 2889, provides a complete blanket of employee protection from harassment of any sort by non-employees in the workplace. Federal law, court decisions, and the rules of various federal agencies already require employers to provide protection to their employees from these other forms of harassment. So AB 2889 merely conforms state law to federal law and practice.

Currently, AB 2889 is in the Appropriations Committee, where it is expected to pass. This bill has already been approved by the Judiciary Committee. However, there is a major concern expressed by the Assembly members who created AB 2889: They fear that Governor Schwarzenegger may veto the bill after it passes in the Assembly.

So, once again, we are urging you to write in support for AB 2889. People should be able to work in an environment that is free from harassment and persecution—of any type. Please write to Governor Schwarzenegger. Support AB 2889!

Lambda Letters Progress Report

Letters and Messages Collected

June, 2004	45,275 letters & e-mails
In all of 2004	226,787 letters & e-mails

Dollars Spent

June, 2004	$1,504
In all of 2004	$17,598

Can You Help?

Please support the very important work of the Lambda Letters Project with your contributions.

Women's Issue

Lead in Women's Rights

By Kathleen Watanabe, Legislative Analyst

In 1979 the United Nations adopted the Convention on the Elimination of All Forms of Discrimination Against Women. CEDAW is an international "Bill of Rights" for women. It is the first and only international instrument that comprehensively addresses women's rights within political, cultural, economic, social, and family life. The United States played an active role in drafting CEDAW and it was signed by President Carter in 1980.

As of May 2004, 177 countries have ratified the treaty. Shamefully, the United States is the *only* industrial nation, and one of the few countries in the world, to have not ratified CEDAW. Nearly all developing countries have ratified it. The treaty requires a two-thirds vote from the US Senate for ratification but it has been bottled up by conservatives for the past 24 years. The California legislature has twice passed resolutions (in 1992 and 1997) urging the Senate to ratify CEDAW. The cities of San Francisco and Los Angeles, and a number of other California cities and counties, have already adopted the covenants of CEDAW.

Because the Senate and President Bush see no reason to pass CEDAW, Assemblymember Hannah-Beth Jackson (D–Santa Barbara) has now introduced AB 358, which would require the state to implement the principles underlying CEDAW. It would address discrimination against women and girls in areas including economic development, education, employment practices, violence against women and girls, and healthcare. Beginning on January 1, 2006, AB 358 would require the Department of Corrections, State Department of Education, and State Department of Health Services to conduct a self-evaluation to ensure that the state does not discriminate against women through the implementation of state policies and programs, including the allocation of funding and delivery of services. The bill would require the three departments to report to the Legislature no later than January 1, 2007, with recommendations for what policies and practices, if any, might be changed to implement CEDAW.

Recent events indicate that the United States lags behind much of the world in achieving equality for all of its citizens. It is also true that California is a leader in the country on equality and human rights. Anti-discrimination laws are already stricter in our state than federal laws. With the passage of AB 358, California will take its place among the progressive leaders of the world in guaranteeing equality for all women and girls.

AB 358 is currently in the Senate Appropriations Committee suspense file. Please write to the members of the committee as well as your own senators urging them to pass this important bill.

People of Color Issue

Support Multi-Language Services

By Marty Martinez, Legislative Analyst

Last month we asked you to express to your state senator your support for AB 2408 by Leland Yee (D–San Francisco), which seeks to strengthen laws that require state agencies to employ sufficient numbers of bilingual staff to meet the needs of non-English speaking Californians. The bill is on its way to Governor Schwarzenegger and he needs to hear from you now.

Since 1973 California law has required all state and local agencies to ensure that their services are accessible to substantial populations of limited-English-speaking individuals. The Dymally-Alatorre Bilingual Services Act specifically requires that when state and local agencies serve a "substantial number of non-English speaking people," they must employ a "sufficient number of qualified bilingual staff in public contact positions," among other things.

The lack of language-appropriate services can have unjust and tragic consequences. Testimony in recent public hearings illustrates how language barriers can deprive residents of critical services, including healthcare, the ability to report crimes to law enforcement, and enforcement of labor and minimum-wage protections. Young children and youth are often forced to interpret for family members in situations where they lack either the appropriate vocabulary or sophistication to translate.

Despite the compelling need for state and local government services in languages other than English, implementation of the Dymally-Alatorre Act has been poor. In 1999, a state auditor's report concluded that many state and local agencies are not in compliance. One of the major problems has been a shortage of bilingual staff at state agencies.

AB 2408 would address these problems by clarifying the general requirement that bilingual staff should be hired in unfilled public contact positions when a state agency or the State Personnel Board has identified a deficiency in bilingual staffing at any of the agency's local offices. The bill includes a procedure to seek a reasonable exemption. AB 2408 would not require the dismissal or displacement of any existing staff, nor would it require the creation of new staff positions. It would require the filling of *newly created* positions with bilingual staff when needed to increase the number of public contact employees who are bilingual.

It would only take effect when a relevant job opening arises. The agency's responsibility to hire bilingual staff would end once it is in compliance with existing law. The bill is on its way to Governor Schwarzenegger and he needs to hear from you now.

HIV/AIDS Issue

Allow of Hypodermic Needle, Syringe Sharing

By Jamie E. Shauvin, Legislative Analyst

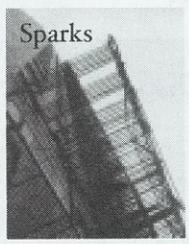
According to the Department of Health Services, California now spends over $315 million a year on services to people with HIV and AIDS. As of December 2002, there were 123,819 cumulative cases of HIV/AIDS reported in California since the outbreak of the epidemic. The Department of Health Services also reports that just shy of 20% of all cases of HIV infection are related to the sharing of dirty needles by intravenous drug users. Reducing the sharing of dirty needles significantly could have a huge impact on the spread of HIV/AIDS. A reduction in sharing dirty needles would also probably do much to lower the state's cost of treating the disease.

Existing law requires a person to have a prescription in order to purchase a needle or a syringe, and for pharmacists to keep detailed records of nonprescription sales of hypodermic needles and syringes. SB 1159 would eliminate the prescription requirement if the person is known to the pharmacist and has previously provided a prescription or other evidence of legitimate medical need. It would also eliminate the requirement that pharmacists keep detailed records of such sales. Introduced by California State Senator John Vasconcellos (D–San Jose), SB 1159 went before the California State Assembly in July where it is expected to pass successfully. The next step for SB 1159 is to go before Governor Schwarzenegger for approval. We need you to contact the governor and ask him to sign SB 1159.

SB 1159 could do a lot to slow the spread of serious blood-borne diseases. That, in turn, could greatly reduce the current projected health services costs to the state of caring for people with these diseases. Please support SB 1159.

What happens when women put pen to paper... brush to canvas... lens to scene?

Sparks



spark — n. 1. A fiery particle resulting from friction. 2. A flash of light. 3. A trace or suggestion. 4. A vital, animating or activating force.

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name

address

city, state, zip

August 15, 2004

The Hon.Sam Aanestad
Senate Appropriations Committee
The California State Legislature
Sacramento, CA 95814

Dear Senator Aanestad:

I am writing you to request your support of AB 358, which would require the state to implement the principles of the international Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). It would address discrimination against women and girls in areas including economic development, education, employment practices, violence against women and girls, and healthcare.

In 1979 the United Nations adopted CEDAW as an international "Bill of Rights" for women. It is the first and only international instrument that comprehensively addresses women's rights within political, cultural, economic, social, and family life. As of May 2004, 177 countries have ratified the treaty. Shamefully, the United States is the only industrial nation and one of the few countries in the world to have not ratified CEDAW.

Due to the inaction of the United States Senate and President Bush, Assemblymember Hannah-Beth Jackson has introduced AB 358, which would require California to implement the principles underlying CEDAW. Beginning on January 1, 2006, AB 358 would require the Department of Corrections, State Department of Education, and State Department of Health Services to conduct a self-evaluation to ensure that the state does not discriminate against women through the implementation of state policies and programs, including the allocation of funding and delivery of services. The bill would require the three departments to report to the Legislature with recommendations for what policies and practices, if any, might be changed to implement CEDAW.

Recent events indicate that the United States lags behind much of the world in achieving equality for all of its citizens. Conversely, California is a leader in the country on equality and human rights. With the passage of AB 358, California will take its place among the progressive leaders of the world in guaranteeing equality for all women and girls. I strongly urge you to support this important bill.

Sincerely,

name

address

city, state, zip

August 15, 2004

Governor Arnold Schwarzenegger
The California State Capitol
Sacramento, CA 95814

Dear Governor Schwarzenegger:

I urge you strongly to sign AB 2408, which would increase access to state government for all Californians by clarifying existing state bilingual staffing requirements of the Dymally-Alatorre Bilingual Services Act and ensuring that state agencies properly implement this existing law.

Since 1973, this act has required that when state and local agencies serve a "substantial number of non-English speaking people," they must employ a "sufficient number of qualified bilingual staff in public contact positions."

Census 2000 data show that 40 percent of all Californians five years and older speak a language other than English at home. One in five are limited-English proficient. The lack of language-appropriate services can have unjust and tragic consequences. Testimony in recent public hearings illustrates how language barriers can deprive residents of critical services, including healthcare, the ability to report crimes to law enforcement, and enforcement of labor and minimum-wage protections. Young children are often forced to interpret for family members in situations where they either lack the appropriate vocabulary or sophistication to translate.

Implementation of the Dymally-Alatorre Act has been poor. In 1999, a State Auditor's report concluded that many state and local agencies are not in compliance. One of the major problems has been a shortage of bilingual staff at state agencies. AB 2408 would address these problems by clarifying the general requirement that bilingual staff should be hired in unfilled public contact positions when a state agency or the State Personnel Board has identified a deficiency in bilingual staffing at any of the agency's local offices. The bill includes a procedure to seek a reasonable exemption.

AB 2408 would not require the dismissal or displacement of any existing staff, nor would it require the creation of new staff positions. It would only take effect when a relevant job opening arises. The agency's responsibility to hire bilingual staff ends once it is in compliance with existing law. Please sign AB 2408 when it comes before you.

Sincerely,

name

address

city, state, zip

August 15, 2004

Governor Arnold Schwarzenegger
The California State Capitol
Sacramento, CA 95814

Dear Governor Schwarzenegger:

I am writing in support of AB 2889, the bill designed to protect workers from harassment by non-employees in the workplace. I believe that everyone is entitled to work in an environment that is safe and free from harassment.

AB 2889 provides protection from harassment based on race, gender, sexual orientation, religion, color, age, marital status, national origin, disability or mental condition. That is, everyone is respected. In particular, it requires employers to protect their employees from such harassment by their customers or clients.

A bill passed last year, AB 76, provided similar protection from just sexual harassment. The new bill, AB 2889, provides a complete blanket of protection for employees from harassment of any type in the workplace by non-employees.

Workers should be respected for good performance at their jobs. Harassment of any sort undermines morale and creates unnecessary stress on the job. It contributes to poor job performance and shoddy workmanship. People who suffer harassment concentrate less on their work and worry more about the words and actions of others. Stress created by harassment can exacerbate health issues, resulting in downtime and lost productivity.

Workers deserve respect. People should be protected. Please sign AB 2889 when it reaches your desk.

Respectfully,

name

address

city, state, zip

August 15, 2004

Governor Arnold Schwarzenegger
The California State Capitol
Sacramento, CA 95814

Dear Governor Schwarzenegger:

Please sign Senate Bill 1159 (SB 1159) authorizing a licensed pharmacist to sell hypodermic needles or syringes to a person without a prescription under specified conditions.

According to the Department of Health Services, California now spends over $315 million each year on services to people with HIV and AIDS. As of December 2002, there were 123,819 cumulative cases of HIV/AIDS reported in California since the outbreak of the epidemic. The Department of Health Services also reports that just shy of 20% of all cases of HIV infection are related to the sharing of dirty needles by intravenous drug users. If we could reduce the sharing of dirty needles significantly, we could have a huge impact on the spread of HIV and AIDS. A reduction in sharing dirty needles would probably do much to lower the state's cost of treating the disease.

One way to reduce the sharing of dirty needles is to improve access to clean hypodermic needles and syringes acquired through an authorized source. Existing law requires a person to establish properly his or her identity in order to purchase a needle or syringe, and for pharmacists to keep detailed records of nonprescription sales of hypodermic needles and syringes. SB 1159 would eliminate both the identity requirement and the requirement that pharmacists keep detailed records of such sales.

SB 1159 could do much to slow the spread of serious blood-borne diseases. That, in turn, could greatly reduce the current projected health services costs to the state of caring for people with these diseases. Those are goals you should really care about.

Please sign SB 1159 when it comes before you for your signature.

Sincerely,

August Legislative Update

August is the last month of the state legislative session. The Legislature goes into its final recess for this legislative session at the end of the day on August 31. That means that any bills not sent to the governor by that date are dead. The governor then has through September 30 to sign or veto any bills sent to him at the end of the session.

Any bills passed and signed by the governor by the deadline become effective January 1, 2005. Any bill, however, can become effective as soon as the governor signs it if two-thirds of each house of the state legislature voted to have it take effect immediately.

Here is the latest status report on the bills we have been working on.

HIV/AIDS Issues

AB 1925 (Ray Haynes, R–Temecula)
Purpose: To require advance notice to parents, under certain circumstances, of sex or AIDS education to be given in a school and to notify parents that they can remove their children from this education by submitting a written request.
Status: Approved by the Senate Education Committee and sent to the Senate Appropriations Committee for a vote on June 28.
LLP Position: Oppose.

AB 1957 (Dario Frommer, D–Glendale)
Purpose: To require the state to establish a Web site to display price comparisons of prescription drugs, including prices charged by licensed pharmacies in the state and Canadian pharmacies that provide mail-order service to the US that meet certification requirements established under the bill. Also requires the state to consider buying drugs from Canada.
Status: Approved by the Senate Health and Human Services Committee and sent to the Senate Appropriations Committee for a vote on August 2.
LLP Position: Support.

AB 2871 (Patty Berg, D–Santa Rosa)
Purpose: To make it easier for cities and counties to establish clean needle and syringe exchange programs.
Status: Approved by the Senate Health and Human Services Committee. Sent to the Senate Appropriations Committee for a vote on August 2.
LLP Position: Support.

AJR 61 (Mark Ridley-Thomas, D–Los Angeles)
Purpose: To urge the US Secretary of Health and Human Services to certify that permitting the importation of prescription drugs from Canada into the US poses no additional risk to the public's health and safety and, in fact, results in a significant reduction in the cost of prescription drugs to the American consumer.
Status: Approved by the Legislature. Sent to Congress.
LLP Position: Support.

SB 1149 (Deborah Ortiz, D–Sacramento)
Purpose: To require the state to develop and disseminate information identifying pharmacies in Canada that meet recognized standards for the safe dispensing of dangerous drugs (prescriptions) to California residents. Listed pharmacies must register with the state and pay a $1,500 fee. State also must publicize foreign suppliers that do not meet standards. Information should be posted on the Internet.
Status: Approved by the Assembly Business and Professions Committee. Sent to the Assembly Appropriations Committee for a vote on August 4.
LLP Position: Support.

SB 1159 (John Vasconcellos, D–San Jose)
Purpose: To authorize a licensed pharmacist to sell hypodermic needles or syringes to a person without a prescription under specified conditions, and to authorize a person to possess up to 10 hypodermic needles or syringes if acquired through an authorized source. This bill comes into force only if SB 1362 is also passed and signed by the governor.
Status: Approved by the Assembly Appropriations Committee. Awaiting a final vote on the Assembly floor.
LLP Position: Support. This would facilitate authorized clean-needle exchange programs around the state.

SB 1362 (Liz Figueroa, D–Fremont)
Purpose: To require local governments to include in their waste management plans a procedure for the safe collection, treatment, and disposal of sharps, including hypodermic needles and syringes.
Status: Approved by the Legislature. Sent to the governor for signature or veto.
LLP Position: Support.

SB 1494 (John Vasconcellos, D–San Jose)
Purpose: To provide that a qualified person with a medical marijuana identification card, or any designated primary caregiver, may possess any amount of marijuana consistent with the medical needs of that qualified person with an identification card.
Status: Approved by the Legislature. Sent to the governor for signature or veto..
LLP Position: Support.

Lesbian/Gay/Bisexual/ Transgender/Intersex Issues

AB 1918 (Cindy Montanez, D–Mission Hills)
Purpose: To allow a school employee, in a school district that is not subject to disability compensation laws, to take up to six weeks off with partial pay to care for a seriously ill child, spouse, parent, or domestic partner, or to bond with a new child.
Status: Approved by the Senate Labor and Industrial Relations Committee. Awaiting a final vote in the Senate.
LLP Position: Support.

Continued on page 6

Legislative Update

Continued from page 5

AB 2208 (Christine Kehoe, D–San Diego)
Purpose: To require that domestic partners be treated equally to married couples by insurance companies with regard to benefits under all kinds of insurance policies regulated by the Department of Insurance.
Status: Approved by the Senate Judiciary Committee. Sent to the Senate Appropriations Committee for a vote on August 2.
LLP Position: Support.

AB 2889 (John Laird, D–Santa Cruz)
Purpose: To make employers responsible for the acts of non-employees with respect to all forms of harassment (including harassment based on the LGBTI or HIV status of employees) in the workplace where the employer or its agents or supervisors knew, or should have known, of the conduct and failed to take immediate and appropriate corrective action.
Status: Approved by the Senate Judiciary Committee. Sent to the Senate Appropriations Committee for a hearing on August 2.
LLP Position: Support.

AB 2900 (John Laird, D–Santa Cruz)
Purpose: To amend nondiscrimination language in California's labor and employment codes to make the language uniform. The nondiscrimination language found in the Fair Employment and Housing Act will be used as the model. Sexual orientation, gender identity, and language protecting women and other minorities will be amended into many of these government codes.
Status: Approved by the Senate Judiciary Committee. Sent to the Senate Appropriations Committee for a vote on August 2.
LLP Position: Support.

AJR 60 (Sally Lieber, D–San Jose)
Purpose: To approve an Assembly Joint Resolution urging Congress and President Bush to support the Permanent Partners Immigration Act. This act, now being considered in Congress, would allow US citizens to obtain permanent legal US residency for their domestic partners who are citizens of another country.
Status: Approved by the Assembly. Sent to the Senate Judiciary Committee. No hearing date set yet.
LLP Position: Support. Currently straight couples can obtain the same result by marriage.

AJR 67 (Dennis Mountjoy, R–Monrovia)
Purpose: To urge Congress to pass a constitutional amendment banning same-sex marriage in the United States.
Status: Referred to the Assembly Judiciary Committee. Hearing cancelled at the author's request. The bill is probably dead.
LLP Position: Oppose.

AJR 85 (Mark Leno, D–San Francisco)
Purpose: To urge Congress *not* to pass a constitutional amendment banning same-sex marriage in the United States.
Status: Passed the Assembly. Sent to the Senate Judiciary Committee. No hearing date set yet.
LLP Position: Support.

SB 1193 (Nell Soto, D–Ontario)
Purpose: To require the state to pay a $10,000 death benefit to the surviving spouse, or beneficiary designated by the service member, of any member of the California National Guard, State Military Reserve, or Naval Militia who dies or is killed in the performance of state military duty.
Status: Approved by the Assembly Veteran's Affairs Committee. Sent to the Assembly Appropriations Committee for a vote on August 4.
LLP Position: Support.

SB 1234 (Sheila Kuehl, D–Los Angeles)
Purpose: To enact a uniform definition of "hate crime" and direct all state and local agencies to use it exclusively; encourage all law-enforcement agencies to adopt a formal hate-crime protocol; direct law-enforcement agencies to deliver expanded hate crimes training to their officers; and increase penalties for hate crimes.
Status: Approved by the Assembly Public Safety Committee. Sent to the Assembly Appropriations Committee suspense file. Suspense file items are voted on at the last minute.
LLP Position: Support.

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People of Color Issues

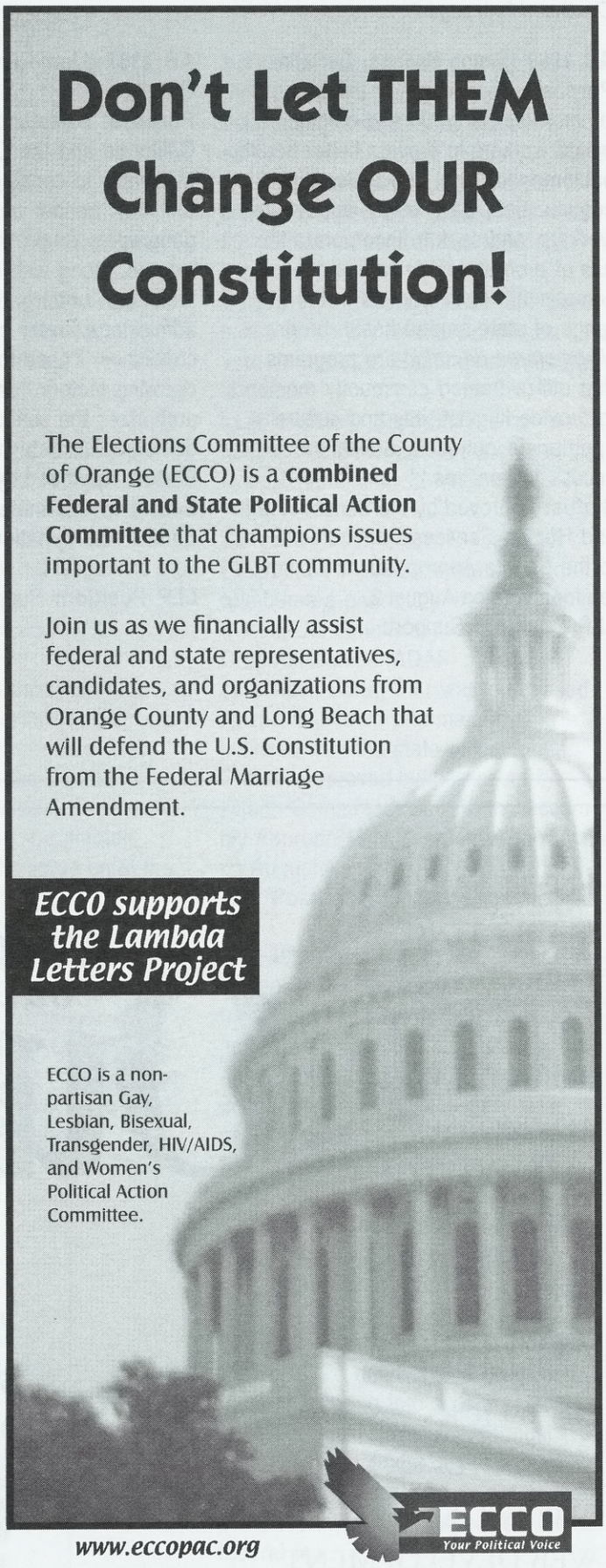
AB 292 (Leland Yee, D–San Francisco)
Purpose: To provide that a state or local governmental agency, or a public or private agency supported by state funding, shall not use any child, or permit any child to be used, as a translator or interpreter in any matter involving the business or function of that agency, except as specified. This would require each agency that receives state funding to have available for inspection an established procedure for providing competent translation services.
Status: Currently in the Senate Appropriations Committee.
LLP Position: Support.

AB 858 (Jackie Goldberg, D–Los Angeles)
Purpose: To prohibit public schools from using the word "Redskins" as a school or athletic team name, mascot, or nickname.
Status: Approved by the Senate Appropriations Committee. Awaiting a final vote in the Senate.
LLP Position: Support.

AB 1796 (Mark Leno, D–San Francisco)
Purpose: To provide that a convicted drug felon shall be eligible for aid under the Food Stamp Program. Those convicted of using drugs would be helped by this bill. Drug dealers would be excluded from its benefits.
Status: Approved by the Senate Health and Human Services Committee. Placed on the Senate Appropriations Committee's suspense file. It will be voted on at the last minute.
LLP Position: Support.

AB 1815 (Wilma Chan, D–Oakland)
Purpose: To raise the income tax rate and the alternate minimum income tax rate on California's wealthiest citizens.
Status: Held in the Assembly Appropriations Committee. But the author's office says the bill is not dead.
LLP Position: Support. This would reduce the pressure to make cuts to vital HIV/AIDS programs and other health and social service programs.

AB 1895 (Joe Nation, D–San Rafael)
Purpose: To require that an attorney who specializes in immigration law, or a certified immigration specialist, be provided to a dependent child of the court who is not a citizen of the US and when the court has decided parental reunification is not an option. The bill would exclude counties that already have similar programs in place.
Status: Approved by the Senate Judiciary Committee. Sent to the Senate Appropriations Committee for a vote on August 2.
LLP Position: Support.



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Legislative Update

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AB 1963 (Simon Salinas, D–Salinas)
Purpose: To encourage the use of *promotores de salud* and community health workers to provide better health outcomes for rural and underserved communities, particularly agricultural workers, and seek to incorporate the use of *promotores de salud* and community health workers in the full range of state-funded health programs. (*Promotores de salud* are programs that utilize trained community members to provide linguistically and culturally appropriate outreach, education, and access to services.)
Status: Approved by the Senate Health and Human Services Committee. Sent to the Senate Appropriations Committee for a vote on August 2.
LLP Position: Support.

AB 2387 (Marco Firebaugh, D–South Gate)
Purpose: To authorize the University of California and the California State University to consider culture, race, ethnicity, gender national origin, geographic origin, and household income, along with other relevant factors, in undergraduate and graduate admissions under certain limited conditions. These may not be the deciding factors in admissions. Also authorizes the schools to gather certain demographic data on students.
Status: Approved by the Senate Education Committee. Sent to the Senate Appropriations Committee for a vote on August 2.
LLP Position: Support.

AB 2408 (Leland Yee, D–San Francisco)
Purpose: To strengthen and clarify the law requiring state agencies to employ sufficient numbers of bilingual staff to meet the needs of the non-English-speaking communities they serve.
Status: Approved by the Senate. Sent to the Assembly for agreement to changes made to the bill in the Senate.
LLP Position: Support

AB 2428 (Judy Chu, D–Monterey Park)
Purpose: To protect the victims of hate crimes and their families by ensuring, absent compelling reasons that dictate otherwise, that a restraining order prohibiting further contact with the victim or victim's family be placed on the perpetrator when he or she is released from custody.
Status: Approved by the Senate Public

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Safety Committee. Referred to the Senate Appropriations Committee for a vote on August 2.
LLP Position: Support.

AJR 62 (Ridley Thomas, D–Los Angeles)
Purpose: To ask Congress to repeal a law that prohibits the federal government from bargaining over drug prices for Medicare prescription drugs.
Status: Approved by the Legislature. Sent to Congress.
LLP Position: Support.

SB 17 (Martha Escutia, D–Norwalk)
Purpose: To amend the laws relating to property taxes on nonresidential commercial and industrial property to eliminate loopholes that have allowed such properties to evade reassessment upon sale of the property.
Status: In the Assembly inactive file.
LLP Position: Support. This bill would increase tax revenues and reduce the need to cut spending on health and social services programs.

SB 921 (Sheila Kuehl, D–Los Angeles)
Purpose: To establish a single-payer, universal healthcare delivery system in California. Under this system the state would pay all the medical bills and every resident of California would have health insurance.
Status: Approved by the Assembly Health Committee. Sent to the Assembly Appropriations Committee. No hearing date set yet.
LLP Position: Support.

SB 1144 (John Burton, D–San Francisco)
Purpose: To allow the state to buy drugs from Canadian manufacturers, among others. Would require the state to seek federal permission to buy drugs in Canada.
Status: Approved by the Assembly Health Committee. Sent to the Assembly Appropriations Committee for a vote on August 4.
LLP Position: Support.

SB 1160 (Gilbert Cedillo, D–Los Angeles)
Purpose: To allow undocumented immigrants, under certain circumstances, to obtain driver's licenses.
Status: Approved by the Senate Transportation Committee. Sent to the Senate Appropriations Committee suspense file. It will be voted on at the last minute.
LLP Position: Oppose unless amended. The current version of the bill has criminal background checking provisions that might endanger undocumented immigrants. Other provisions would deny drivers licenses if an immigrant has been convicted of an offense as minor as loitering.

SB 1170 (Deborah Ortiz, D–Sacramento)
Purpose: To require the state to establish (on or before January 1, 2005) a list of maximum allowable costs that drug providers could charge the state for medicines used in the Medi-Cal program.
Status: Approved by the Senate. Sent to the Assembly Health Committee for a vote on June 22. Hearing cancelled by author.
LLP Position: Support. The list would keep costs down and reduce pressure to limit enrollment in Medi-Cal.

SB 1333 (Don Perata, D–Oakland)
Purpose: To authorize the state to reimburse a pharmacy that provides to a Medi-Cal beneficiary, or an AIDS Drug Assistance (ADAP) patient, a prescription drug that was purchased from a Canadian pharmacy that is licensed with the state of California.
Status: Approved by the Assembly Health Committee. Sent to the Assembly Appropriations Committee for a vote on August 4.
LLP Position: Support.

SB 1499 (Kevin Murray, D–Culver City)
Purpose: To prohibit an employer from charging a fee for cashing an employee's payroll check, transporting an employee to a job site, or renting an employee the tools necessary to perform the duties of the employment.
Status: Approved by the Assembly Labor and Employment Committee. Sent to the Assembly Appropriations Committee for a vote on August 4.
LLP Position: Support.

SB 1563 (Martha Escutia, D–Norwalk)
Purpose: To deem that a drug manufacturer entering into a contract with state and local governments must agree to offer certain clinics that serve poor people prices that do not exceed the discounted prices specified under federal law.

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Status: Approved by the Assembly Business and Professions Committee. Sent to the Assembly Appropriations Committee for a vote on August 4.
LLP Position: Support.

SJR 21 (Joe Dunn, D–Garden Grove)
Purpose: To ask Congress to establish a fact-finding commission to determine if the federal government mistreated American citizens and permanent resident aliens of Mexican descent who were deported or coerced to emigrate during the 1930s and to recommend appropriate remedies.
Status: Introduced.
LLP Position: Support.

Women's Issues

AB 1825 (Sarah Reyes, D–Fresno)
Purpose: To require larger employers to train supervisors on the subject of remedies for, and laws against, sexual harassment in the workplace.
Status: Approved by the Senate Labor and Industrial Relations Committee. Sent to the Senate Appropriations Committee for a vote on August 2.
LLP Position: Support.

AB 1946 (Darrell Steinberg, D–Sacramento)
Purpose: To streamline and improve a process already available under California law, which allows compassionate release from jail for certain prisoners who are ill and have less than six months to live.
Status: Approved by the Senate Appropriations Committee. Sent to the Senate floor for a final vote.
LLP Position: Support.

AB 2010 (Loni Hancock, D–Berkeley)
Purpose: To allow Alameda and Solano Counties to increase fees, up to a maximum increase of $2, for certified copies of marriage certificates, birth certificates, fetal death records, and death records, for the purposes of providing funding for governmental oversight and for the coordination of domestic violence prevention, intervention, and prosecution efforts in the county.
Status: Approved by the Senate. In the Assembly for agreement to changes made to the bill in the Senate.
LLP Position: Support.

AB 2018 (Judy Chu, D–Monterey Park)
Purpose: To provide that in a divorce case, if there is a judgment for civil damages for an act of domestic violence perpetrated by one spouse against the other spouse the court may enforce that judgment against the abusive spouse's share of community property
Status: Approved by the Senate. In the Assembly for agreement to changes made to the bill in the Senate.
LLP Position: Support.

AB 2148 (Manny Diaz, D–San Jose)
Purpose: To allow a court to require parties to a child custody, visitation, and child-support proceedings to pay attorney's fees and court costs. This would allow the court to order one party to pay the other party's costs when the other party cannot afford them; would allow the court to issue a temporary order on child custody, visitation, and child support while the case is being litigated; and would allow the court to order spousal support, if the parties are married, during litigation of a domestic abuse case.
Status: Approved by the Senate Judiciary Committee. Sent to the Senate Appropriations Committee for a vote on August 2.
LLP Position: Support.

AB 2317 (Jenny Oropeza, D–Carson)
Purpose: To increase the penalty for employers who pay women less for doing the same work as men.
Status: Approved by the Senate Judiciary Committee. Sent to the Senate Appropriations Committee. Hearing postponed by committee.
LLP Position: Support.

AB 2742 (Dennis Mountjoy, R–Monrovia)
Purpose: To require that state prisons give prisoners the medical care that competent physicians say they need.
Status: Approved by the Senate Public Safety Committee. Sent to the Senate Appropriations Committee for a vote on August 2.
LLP Position: Support.

SB 1385 (John Burton, D–San Francisco)
Purpose: To make numerous changes and improvements to laws concerning intimate partner battering.
Status: Passed the Assembly Public Safety Committee. Sent to the Assembly floor for a final vote.
LLP Position: Support.

SB 1441 (Sheila Kuehl, D–Los Angeles)
Purpose: To provide that a victim of domestic violence or abuse has the right to have a domestic violence counselor and a support person of his or her choosing present at any interview by law enforcement authorities, district attorneys, or defense attorneys.
Status: Approved by the Legislature. Sent to the governor for signature or veto.
LLP Position: Support.

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